

## **CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to Circuit Rule 27(a)(4), Appellant Andrew Miller certifies the following:

### **A. Parties**

Appellant Andrew Miller was subpoenaed to testify before a grand jury empaneled in the United States District Court for the District of Columbia, No. 1:18-gj-00034-BAH.

Appellee is the United States of America, which is represented by Special Counsel Robert S. Mueller III (the Special Counsel).

There were no intervenors or amici curiae in the district court, which held its proceedings under seal. On August 30, 2018, this Court denied the motion to intervene by Concord Management and Consulting LLC (Concord) but was granted leave to participate as amicus curiae.

### **B. Rulings Under Review**

The rulings under review are the sealed contempt order entered against Mr. Miller by Chief Judge Beryl A. Howell on August 10, 2018, ECF No. 36, which was preceded by a sealed memorandum opinion entered on July 31, 2018, ECF No. 23, denying Mr. Miller's motion to quash. A redacted version of the memorandum opinion was released to the public on August 8, 2018, ECF No. 32-3.

There is no official citation for the contempt order. The official citation for the redacted memorandum opinion is *In re Grand Jury Investigation*, --- F. Supp. 3d ---, No. 1:18-gj-00034-BAH, 2018 WL 3688461 (D.D.C. July 31, 2018).

**C. Related Cases**

The case on review has not previously been before this Court or any other court. There is a “related cases” within the meaning of Circuit Rule 28(a)(1)(c) in the criminal action brought by the Special Counsel against Concord in the United States District Court for the District of Columbia involves one of the same parties (the United States of America) and the same or similar legal issues as those presented in this case. The official citation for Judge Dabney L. Friedrich’s memorandum opinion denying Concord’s motion to dismiss the criminal action is *United States v. Concord Management & Consulting LLC*, --- F. Supp. 3d ---, No. 1:18-cr-00032-DLF, 2018 WL 3827021 (D.D.C. Aug. 15, 2018).

/s/ Paul D. Kamenar

Paul D. Kamenar